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ORDER ON ORAL MOTION

November 16, 2010

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VIA ECF and
VIA FIRST CLASS MAIL

The Honorable Claire C. Cecchi
United States Magistrate Judge
United States District Court
District of New Jersey
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, New Jersey 07101

Nelson Melendez v. Ken's Marine Service, Inc., et al.
United States District Court, District of New Jersey
Civil Action No.: 09-cv-04517
Our File: 411-1

Dear Judge Cecchi:

This firm represents Plaintiff in the above-referenced matter. On behalf of the parties, we respectfully submit this letter in request for a sixty (60) day extension of all current discovery deadlines. Your Honor's Scheduling Order of June 24, 2010 was once amended by Order of July 27, 2010 to accommodate defense counsel, Mr. Daniel Fitzgerald's service in the Louisiana Gulf area for the United States Coast Guard.

To date, the parties have completed the depositions of Plaintiff, two employees of Defendant K-Sea, and two employees of Defendant Ken's Marine. The parties are also in the process of scheduling three additional depositions and the inspection of the vessels involved in the incident. While the parties have diligently conducted discovery, there have been difficulties in

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completing fact discovery due to the scheduling conflicts and limited availability of witnesses as a result of the nature of their maritime employment.

In view of the foregoing, the parties jointly and respectfully request further amendment to the Scheduling Order as follows:

	Current date	Proposed date
Fact discovery shall close	11/30/10	1/31/11
Affirmative expert reports shall be submitted by	12/30/10	2/28/11
Responding expert reports shall be submitted by	1/30/11	3/31/11
Expert discovery shall be completed by	3/2/11	5/2/11
Telephone Status/ Settlement Conference	12/8/10	2/07/11
Delivery of Confidential Settlement Positions	12/1/10	1/31/11

Thank you for your courtesies.

The schedule set forth above is hereby adopted by the Court. The telephone status/settlement conference scheduled for December 8, 2010 is hereby adjourned to February 7, 2011 at 11:00 a.m. Plaintiff shall initiate the call.

Respectfully Submitted,

FLICKER, GARELICK & ASSOCIATES, LLP

/s/ Robert N. Dengler

Robert N. Dengler

SO ORDERED

s/Claire C. Cecchi

Claire C. Cecchi, U.S.M.J.

Date: November 22, 2010

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cc: VIA ECF and
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